



Homeland  
Security

*Privacy Office, Mail Stop 0655*

May 3, 2019

**SENT VIA EMAIL TO: FOIA@AMERICANOVERSIGHT.ORG**

Austin Evers  
American Oversight  
1030 15th Street, NW, Suite B255  
Washington, DC 20005

Re: **2017-HQFO-01145**

Dear Mr. Evers:

This is the final response to your Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS), dated July 31, 2017, and received by this office on August 1, 2017. You are seeking all emails with the Department of the Interior (including the Office of the Secretary of the Interior, the Fish & Wildlife Service, and the National Wildlife Refuge System) regarding the construction of a wall, fence, or other physical or virtual barrier along the U.S.-Mexico border in the Santa Ana National Wildlife Refuge. All emails with any member of Congress or any congressional staff regarding the construction of a wall, fence, or other physical or virtual barrier along the U.S.-Mexico border in the Santa Ana National Wildlife Refuge. Any contracts with Michael Baker International or any other contractor to conduct testing or any other work in connection with preparations for or the construction of a wall, fence, or other physical or virtual barrier along the U.S.-Mexico border in the Santa Ana National Wildlife Refuge. Any plans or designs for a wall, fence, or other physical or virtual barrier along the U.S.-Mexico border in the Santa Ana National Wildlife Refuge, including: any plans or designs for features associated with such a wall, fence, or other physical or virtual barrier, including plans or designs for roads along the wall, fence, or other physical or virtual barrier; plans or designs for clearing refuge land on either side of the wall, fence, or barrier; or plans or designs for surveillance, cameras, or lighting along the wall, fence, or barrier. Any environmental assessment regarding the impact of constructing a wall, fence, or other physical or virtual barrier along the U.S.-Mexico border in the Santa Ana National Wildlife Refuge, or any associated construction, including but not limited to any assessment regarding the impact on endangered species of such construction, including the endangered ocelot. Any evaluation or legal analysis regarding the availability of appropriated funds to conduct preparations for or to construct a wall, fence, or other physical or virtual barrier along the U.S.-Mexico border in the Santa Ana National Wildlife Refuge. For DHS, the search for responsive records should include: the immediate Office of the Secretary, the Office of the Deputy Secretary, the Executive Secretary, the Office of Policy (including: the immediate Office of the Assistant Secretary; the Principal Deputy Assistant Secretary; the Border, Immigration, and Trade Policy Assistant Secretary; the Immigration Policy Deputy Assistant Secretary; the Americas Policy Deputy Assistant Secretary; the Strategy, Planning, Analysis, and Risk Assistant Secretary; and the Office of International Affairs Assistant Secretary), the Office of Legislative Affairs, and the Office of Partnership & Engagement, and, for item 6, the Office of General Counsel. For CBP, the search for responsive records should include: the Office of the Commissioner, including the Commissioner, Chief of Staff, Deputy Chief of Staff, and Deputy Chief of Staff—Policy; the Office of the Deputy Commissioner, including the Deputy Commissioner and the Deputy Commissioner's Chief of Staff; the Office of Congressional Affairs, including the Assistant Commissioner for Congressional

Affairs; the U.S. Border Patrol, including the Office of the Chief, the Rio Grande Valley Sector, and, for item 6, the Office of Chief Counsel (Date Range for Record Search: From 1/20/2017 To 8/1/2017).

We conducted a comprehensive search of files within the Office of the Chief Information Officer (CIO) of the Department of Homeland Security for records that would be responsive to your request. Unfortunately, we were unable to locate or identify any responsive records.

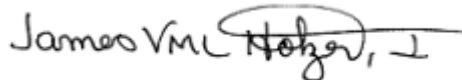
While an adequate search was conducted, you have the right to appeal this determination that no records exist within the CIO, Department of Homeland Security that would be responsive to your request. Should you wish to do so, you must send your appeal and a copy of this letter, within 90 days of the date of this letter, to: Privacy Office, Attn: FOIA Appeals, U.S. Department of Homeland Security, 245 Murray Lane, SW, Mail Stop 0655, Washington, D.C. 20528-0655, following the procedures outlined in the DHS FOIA regulations at 6 C.F.R. Part 5 § 5.8. Your envelope and letter should be marked "FOIA Appeal." Copies of the FOIA and DHS FOIA regulations are available at [www.dhs.gov/foia](http://www.dhs.gov/foia).

Additionally, you have a right to seek dispute resolution services from the Office of Government Information Services (OGIS) which mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974. You may contact OGIS as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Provisions of FOIA allow DHS to charge for processing fees, up to \$25, unless you seek a waiver of fees. In this instance, because the cost is below the \$25 minimum, there is no charge.

If you need any further assistance or would like to discuss any aspect of your request, please contact the analyst below who processed your request and refer to **2017-HQFO-01145**. You may send an e-mail to [foia@hq.dhs.gov](mailto:foia@hq.dhs.gov), call 202-343-1743 or toll free 1-866-431-0486, or you may contact our FOIA Public Liaison in the same manner.

Sincerely,

A handwritten signature in black ink that reads "James V. Holzner, Jr." with a stylized flourish at the end.

James Holzer  
Deputy Chief FOIA Officer